

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

1. NATOSHA T. LYONS, as Personal Representative of the Estate of Anthony Ray Meely,

Plaintiff, )

V. )

No: CV-21-297-JFH

1. CITY OF ADA, )

2. TYLER W. POGUE,

3. RYAN C. COLLIER,

4. RICH EAKER,

5. MERCY HOSPITAL ADA, INC. )

6. DEREK GOODSON,

7. DANIEL WILBURN,

8. BRIAN RIDGEWAY,

9. COLTON STONESIPHER,

10. MAX CROOK, and

11. UNKNOWN DEFENDANTS 1-10, )

Defendants. )

**PARTIES' JOINT MOTION TO EXTEND AMENDED SCHEDULING ORDER DATES**

NOW COME the Parties, by and through their respective counsel, to respectfully move the Court to extend some of the current Amended Scheduling Order dates as set forth below.

1. The parties seek for following extensions of the current Amended Scheduling Order dates:

a. Exchange of Preliminary Witness Lists and Proposed Exhibits (Not Filed of Record)  
– Current date is December 12, 2022, parties seek new date of March 13, 2023;

b. Expert Identification and Reports under Federal Rule of Civil Procedure 26(a)(2) (Not Filed of Record) – Current date is November 28, 2022, parties seek new date of February 28, 2023;

c. Rebuttal Expert Identification and Reports (Not Filed of Record) – Current date is December 26, 2022, parties seek new date of March 27, 2023;

d. Dispositive Motion Cutoff Responses and Replies Per Local Rule (Filed of Record) – Current date is January 10, 2023, parties seek new date of April 10, 2023; and

- e. Discovery Cutoff – Discovery Requests Must be Served 30 Days in Advance of this Date – Current date is January 25, 2023, parties seek new date of April 24, 2023.
2. There has been one previous request for an extension of the Scheduling Order dates, filed on July 20, 2022. (ECF No. 45). The Court entered an Amended Scheduling Order on July 26, 2022. (ECF No. 47).
3. The reason for the requested extensions of the Amended Scheduling Order dates is for the parties to complete discovery. The current status of discovery is as follows: The parties have essentially completed written discovery, with the exception of a possible supplemental document production by Defendant, Mercy Hospital Ada, Inc. The deposition of Plaintiff, Natosha T. Lyons is scheduled for December 16, 2022. The parties are in the process of scheduling the depositions of the Defendants.

In addition, the parties cannot make their expert disclosures or exchange witness lists and proposed exhibits with a complete understanding of the facts until further progress is made in discovery.

The parties believe there is good cause for the extensions of the Amended Scheduling Order dates because the parties have been diligent in conducting discovery. The need for more time was not foreseeable and is not the fault of any party. Furthermore, a refusal to grant the extensions would create the substantial risk of unfairness to all parties. Lastly, there is no prejudice to any party in granting the extensions.

4. All parties agree to the extensions of the Amended Scheduling Order dates.
5. There are no objections to the extensions of the Amended Scheduling Order dates.
6. The parties respectfully request that the Court cancel the pre-trial and trial dates set forth in Sections 7(a) – 14 of the current Amended Scheduling Order and not enter any new dates. The parties believe that it would save the parties' resources and serve the interests of judicial economy to defer entering any new pre-trial or trial dates until after dispositive motions are decided.

WHEREFORE, the parties respectfully request that the Court extend the current Amended Scheduling Order dates as set forth above.

Respectfully submitted,

s/Allie G. Ah Loy

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